

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION**

BRENNAN M. GILMORE,

Plaintiff

v.

ALEXANDER JONES, et al.,

Defendants

CASE NO.: 3:18-cv-00017-NKM-JCH

**ANSWER TO AMENDED
COMPLAINT (DKT. 29) FILED BY
DEFENDANTS HOFT, CREIGHTON,
WILBURN, HICKFORD, AND
WORDS-N-IDEAS, LLC.**

NOW COME Defendants Hoft, Creighton, Wilburn, Hickford, and Words-N-Ideas, LLC, by their counsel Aaron J. Walker, Esq., in the above-styled case for the sole purpose of filing this Answer, without waiving any rights of jurisdiction, notice, process, joinder, or venue. In Answer to the First Amended Complaint (“FAC”) they state the following.

All allegations are to be considered denied unless specifically admitted to. All responses represent the responses of all of the Undersigned Defendants unless stated otherwise.

Several paragraphs are unnumbered; the Undersigned Defendants will identify such paragraphs by the page on which these paragraphs start (even if they end on a different page) and the first few words of that paragraph.

The following terms and abbreviations are used throughout this Answer:

“WNI” means Words-N-Ideas, LLC

“WNI Defendants” means WNI, Wilburn and Hickford, collectively.

“Third party” and “third parties” refers to persons other than the Undersigned Defendants, including current and former co-defendants and individuals not named as defendants, unless otherwise stated.

GENERALLY APPLICABLE DENIALS

Because of the length and complexity of the FAC, there is a danger that the Undersigned Defendants might, by inadvertency, appear to admit to something they in reality deny. Therefore, the Undersigned Defendants make the following blanket denials, which supersedes any inadvertent admissions in this document:

- The Undersigned Defendants deny making any false or defamatory statement of or concerning the Plaintiff.
- The Undersigned Defendants deny making any false or defamatory implication of or concerning the Plaintiff.
- The Undersigned Defendants deny any legal responsibility for the wrongful conduct of any third party or parties.
- The Undersigned Defendants deny inciting violence or wrongful conduct of any third party or parties.

If any statement in the remainder of this Answer appears to contradict those generally applicable denials, these generally applicable denials control.

RESPONSES TO INITIAL UNNUMBERED PARAGRAPHS

In the first unnumbered paragraph on page 1, which starts with the words “NOW COMES...” This is not a statement that requires a response.

In the second unnumbered paragraph on page 1, which starts with the words “Brennan Gilmore works...” The Undersigned Defendants deny the following portion of this paragraph to the extent that they are allegations against the Undersigned Defendants:

Supporters of the alt-right and the “Unite the Right” rally, including the Defendants, created a new identity for Mr. Gilmore—the organizer and orchestrator of Fields’ attack and a traitor to the United States. Defendants’ lies about Mr. Gilmore quickly mobilized their armies of followers to launch a campaign of harassment and threats against Mr. Gilmore that continue to this day.

To the extent that this passage makes accusations against third parties the Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations sufficient to either admit or deny them, and they similarly lack knowledge or information sufficient to form a belief about the truth of the remaining allegations in this paragraph sufficient to either admit or deny them.

In the first unnumbered paragraph on page 2, which starts with the words “Supporters of the...” To the extent that these allegations are against the Undersigned Defendants, they are denied and to the extent that this paragraph makes accusations against third parties the Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations sufficient to either admit or deny them.

In the second unnumbered paragraph on page 2, which starts with the words “Defendants thrive by...” The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the following portion of this paragraph sufficient to either admit or deny the allegations contained therein:

A list of Mr. Gilmore and his parents’ known addresses was posted online, prompting local law enforcement to patrol his parents’ home. Mr. Gilmore suffered from an overwhelming volume of hate mail and death threats, hacking attempts, and even in-person harassment on the streets of Charlottesville.

The remaining allegations in that paragraph are denied, to the extent that these allegations are against the Undersigned Defendants. To the extent that the remaining allegations are against third parties the Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations sufficient to either admit or deny them.

In the first unnumbered paragraph on page 3, which starts with the words “To this day...” To the extent that these allegations are against the Undersigned Defendants, they are denied. To the extent that these allegations are against third parties the Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations sufficient to either admit or deny them.

In the second unnumbered paragraph on page 3, which starts with the words “Fact-based journalism...” Much of the paragraph contains statements of philosophy and law to which no response is necessary. To the extent that the paragraph contains factual allegations against the Undersigned Defendants, they are denied. To the extent that it contains allegations against third parties the Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations sufficient to either admit or deny them.

In the third unnumbered paragraph on page 3, which starts with the words “Brennan Gilmore told...” With respect to the claim the Plaintiff told the truth, the Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of that allegation sufficient to either admit or deny it. The remainder of the paragraph is denied.

RESPONSES TO NUMBERED PARAGRAPHS

1. The Undersigned Defendants admits that this case arises under Virginia law. The remainder of this paragraph is denied.
2. This is not a statement that requires a response.

3. Denied.

4. Denied.

5. Denied.

6. Denied.

7. Denied.

8. Denied.

9. Hoft, Hickford, Creighton and WNI deny the allegations in this paragraph. Wilburn lacks knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

10. Hickford and WNI deny owning or operating any online store on the Allen B. West website. Hickford and WNI lack knowledge or information sufficient to form a belief about the truth of the remaining allegations in this paragraph sufficient to either admit or deny them. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

11. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

12. Denied.

13. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

14. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

15. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

16. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

17. The Undersigned Defendants deny that Lee Stranahan is domiciled in Texas, deny that this legally blind man has a Texas driver's license, and deny that he is actively registered to vote in Texas. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the remaining allegations in this paragraph sufficient to either admit or deny them.

18. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

19. Creighton admits the following is true: "Defendant Scott Creighton is domiciled in Tampa, Florida," and "On or about February 28, 2018, YouTube deleted Creighton's account American Everyman for allegedly violating YouTube's Terms of Service." He denies the remaining allegations in this paragraph. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

20. Hoft admits he is domiciled in St. Louis, Missouri. He denies the remaining allegations in this paragraph. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

21. The WNI Defendants admit that Allen West represented the Florida's 22nd congressional district in the United States House Representatives. The WNI Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations that Mr. West is domiciled in Texas or related to the rest of his resume sufficient to either admit or deny

those allegations. The remaining allegations are denied by the WNI Defendants. Hoft, and Creighton lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them, except that they admit Allen West represented the Florida's 22nd congressional district in the United States House Representatives.

22. Wilburn admits he is domiciled in Colorado Springs, Colorado. All of the WNI Defendants deny the remainder of the paragraph. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

23. Hickford admits she is domiciled in Deerfield Beach, Florida. Hickford and WNI deny that any website Hickford has ever owned has published any false and defamatory article, and Wilburn denies authoring such an article. For the same reason, this passage refers to an article that does not exist:

Defendant Hickford, as president of Words-N-Ideas, owned the rights to the Allen B. West website at the time Defendant Wilburn's article was published and was the person who published Defendant Wilburn's article on the website.

Therefore, the allegations in that passage is denied by the WNI Defendants. The remainder of this paragraph is denied by WNI and Hickford, while Wilburn lacks knowledge or information sufficient to form a belief about the truth of the remaining allegations in this paragraph sufficient to either admit or deny them. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

24. Denied by WNI and Hickford. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

25. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

26. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

27. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

28. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

29. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

30. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

31. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

32. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

33. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

34. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

35. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

36. The Undersigned Defendants deny making any baseless accusation against the Plaintiff. The Undersigned Defendants deny the remaining allegations in this paragraph.

37. Creighton denies the claim that he had 1,139 followers on Twitter at the time he published the article, denies that his website was a national news website, and denies the following claim: “Defendant Creighton subsequently republished the article on at least two other websites.” Creighton lacks knowledge or information sufficient to form a belief about how many unique visitors he has each month sufficient to either admit or deny this allegation. Creighton admits to the remaining allegations in this paragraph. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

38. To the extent that this paragraph describes the contents of the article, the article speaks for itself and Creighton denies the Plaintiff’s characterization of it. To the extent that the Plaintiff alleges any false statements or implications by Creighton, this is denied by Creighton. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

39. To the extent that this paragraph describes the contents of the article, the article speaks for itself and Creighton denies the Plaintiff’s characterization of it. To the extent that the Plaintiff alleges that there is an implied meaning in the article, this is denied by Creighton. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

40. To the extent that this paragraph describes the contents of the article, the article speaks for itself and Creighton denies the Plaintiff's characterization of it. Any claim that Creighton did not state an opinion is denied by Creighton. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

41. To the extent that this paragraph describes the contents of the article, the article speaks for itself and Creighton denies the Plaintiff's characterization of it. To the extent that the Plaintiff alleges that there is an implied meaning in the article, this is denied by Creighton. Meanwhile, Creighton lack knowledge or information sufficient to form a belief about the truth of whether Mr. Gilmore was convenient witness sufficient to either admit or deny this allegation. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

42. To the extent that this paragraph describes the contents of the article, the article speaks for itself and Creighton denies the Plaintiff's characterization of it. Creighton lacks knowledge or information sufficient to form a belief about the truth of the remaining factual allegations in this paragraph sufficient to either admit or deny them. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the factual allegations in this paragraph sufficient to either admit or deny them.

43. To the extent that this paragraph describes the contents of the article, the article speaks for itself and Creighton denies the Plaintiff's characterization of it. To the extent that the Plaintiff alleges that there is an implied meaning in the article, this is denied by Creighton. Creighton denies the remaining allegations in this paragraph. The remaining Undersigned

Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

44. Creighton admits that he believes most people understand the clear meaning of his words. Creighton denies that all of his statements are intended to be interpreted as statements of fact. Creighton lacks knowledge or information sufficient to form a belief about the truth of the remaining allegations in this paragraph sufficient to either admit or deny them. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

45. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the factual allegations in this paragraph sufficient to either admit or deny them.

46. The term “that same day” is vague and therefore Creighton lacks knowledge or information sufficient to form a belief about the truth of the allegation of the timing of any uploaded video sufficient to either admit or deny this allegation. To the extent that this paragraph describes the contents of a video created by Creighton, the video speaks for itself and Creighton denies the Plaintiff’s characterization of it. Creighton admits to the remaining allegations in this paragraph. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the factual allegations in this paragraph sufficient to either admit or deny them.

47. Denied by Creighton. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the factual allegations in this paragraph sufficient to either admit or deny them.

48. To the extent that this paragraph describes the contents of the video, the video speaks for itself and Creighton denies the Plaintiff's characterization of it. Creighton denies the remaining allegations in this paragraph. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

49. To the extent that this paragraph describes the contents of the video, the video speaks for itself and Creighton denies the Plaintiff's characterization of it. Creighton denies the remaining allegations in this paragraph. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

50. To the extent that this paragraph describes the contents of a video created by Creighton, the video speaks for itself and Creighton denies the Plaintiff's characterization of it. Creighton denies the remaining allegations in this paragraph. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

51. Denied by Creighton. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

52. Admitted by Creighton. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

53. Admitted by Creighton. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

54. Admitted by Creighton. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

55. Denied by Creighton. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

56. Denied by Creighton. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

57. The term “the Charleston shooting” is vague; there are reportedly as many as 22 different places in America named Charleston, and probably dozens, if not hundreds, of shootings in any one of them, and therefore, Creighton lacks knowledge or information sufficient to form a belief about the truth of any allegations related to a shooting in Charleston sufficient to either admit or deny those allegations. Creighton denies the remaining allegations in this paragraph. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

58. Denied by Creighton. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

59. Creighton admits that the following statements are true: “Creighton had previously posted an article and accompanying video describing the counter-protesters in Charlottesville as ‘the Soros-backed side of this destabilization event’” and “the United States government ... used the Sutherland Springs shooter as a ‘patsy’ ... to bolster support for gun control.” Creighton denies the remaining allegations in this paragraph, especially the allegation that George Soros is a philanthropist. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

60. Denied by Creighton. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

61. Creighton admits that his YouTube channel had over 2,000 subscribers. Creighton denies that Creighton’s video about Mr. Gilmore had been watched nearly 19,000 times. Upon information and belief, the view count in the screenshot, if accurate, represents views of the webpage, not views of the video—let alone people viewing it in its entirety. Creighton lacks knowledge or information sufficient to form a belief about the truth of the remaining allegations in this paragraph sufficient to either admit or deny them. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

62. “The next morning” is a vague term, and therefore, Hoft lacks knowledge or information sufficient to form a belief in relationship to the timing of events sufficient to either admit or deny this allegation. Hoft denies the following allegation: “on August 14, 2017, Defendant James Hoft published ‘*Random Man at Protests Interviewed by MSNBC, NY Times Is Deep State Shill Linked to George Soros*’ on his website *Gateway Pundit*.” Hoft admits to the remaining allegations in

this paragraph. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

63. To the extent that this paragraph describes the contents of an article, the article speaks for itself and Hoft denies the Plaintiff's characterization of it. Hoft denies the remaining allegations in this paragraph. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

64. To the extent that this paragraph describes the contents of an article, the article speaks for itself and Hoft denies the Plaintiff's characterization of it. Mr. Hoft denies accusing the Plaintiff of being an accomplice to any fraud, scam or con. Hoft lacks knowledge or information sufficient to form a belief about the truth of the remaining allegations in this paragraph sufficient to either admit or deny them. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

65. Hoft denies the following statements:

Hoft states and republishes statements from a disreputable Reddit thread that falsely assert that Mr. Gilmore and/or the State Department removed references to Mr. Gilmore's State Department work in an attempt to cover up their alleged involvement in the Charlottesville rioting.

Hoft lacks knowledge or information sufficient to form a belief about the truth of the remaining allegations in this paragraph sufficient to either admit or deny them. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

66. To the extent that the Plaintiff alleges a specific implied meaning in the article, this is denied by Hoft. Hoft lacks knowledge or information sufficient to form a belief about the truth of the remaining allegations in this paragraph sufficient to either admit or deny them. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

67. To the extent that this paragraph describes the contents of the article, the article speaks for itself and Hoft denies the Plaintiff's characterization of it. To the extent that the Plaintiff alleges a specific implied meaning in the article, this is denied by Hoft. Hoft lacks knowledge or information sufficient to form a belief about the truth of the remaining allegations in this paragraph sufficient to either admit or deny them. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

68. Hoft admits that he believes most people understand the clear meaning of his words. Hoft denies that all of his statements are intended to be interpreted as statements of fact. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

69. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

70. Denied by Hoft. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

71. Hoft denies making any malicious statement and has already denied the implications attributed to his writing. Hoft denies that he claimed that the Plaintiff participated in

a secret operation to stage riots and a violent attack and commit murder. Hoft lacks knowledge or information sufficient to form a belief about the truth of the remaining allegations in this paragraph sufficient to either admit or deny them. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

72. Denied by Hoft. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

73. Admitted by Hoft. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

74. Hoft admits he did not engage in an independent fact-checker. Hoft denies the remaining allegations in this paragraph. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

75. Denied by Hoft. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

76. Admitted by Hoft. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

77. Denied by Hoft. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

78. Denied by Hoft. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

79. Hoft admits that he attributed the car attack to James Fields. Hoft denies the remainder of this paragraph. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

80. Denied by Hoft. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

81. Denied by Hoft. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

82. Denied by Hoft. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

83. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

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101. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

102. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

103. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

104. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

105. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

106. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

107. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

108. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

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111. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

112. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

113. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

114. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

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116. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

117. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

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121. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

122. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

123. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

124. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

125. Denied by the WNI Defendants. Specifically, no such article was published by Defendants West, Hickford, WNI and Wilburn. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

126. This paragraph concerns an alleged article referenced in paragraph 125 of the FAC as being published by Defendants West, Hickford, WNI and Wilburn; that article does not exist. Because of this fundamental error, this entire paragraph is denied by the WNI Defendants. The WNI Defendants lack knowledge or information sufficient to form a belief about the truth of the remaining allegations in this paragraph sufficient to either admit or deny them. The remaining

Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

127. This paragraph concerns an alleged article referenced in paragraph 125 of the FAC as being published by Defendants West, Hickford, WNI and Wilburn; that article does not exist. Because of this fundamental error, this entire paragraph is denied by the WNI Defendants. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

128. This paragraph concerns an alleged article referenced in paragraph 125 of the FAC as being published by Defendants West, Hickford, WNI and Wilburn; that article does not exist. Because of this fundamental error, this entire paragraph is denied by the WNI Defendants. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

129. This paragraph concerns an alleged article referenced in paragraph 125 of the FAC as being published by Defendants West, Hickford, WNI and Wilburn; that article does not exist. Because of this fundamental error, this entire paragraph is denied by the WNI Defendants. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

130. This paragraph concerns an alleged article referenced in paragraph 125 of the FAC as being published by Defendants West, Hickford, WNI and Wilburn; that article does not exist. Because of this fundamental error, this entire paragraph is denied by the WNI Defendants. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

131. This paragraph concerns an alleged article referenced in paragraph 125 of the FAC as being published by Defendants West, Hickford, WNI and Wilburn; that article does not exist. Because of this fundamental error, this entire paragraph is denied by the WNI Defendants. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

132. This paragraph concerns an alleged article referenced in paragraph 125 of the FAC as being published by Defendants West, Hickford, WNI and Wilburn; that article does not exist. Because of this fundamental error, this entire paragraph is denied by the WNI Defendants. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

133. This paragraph concerns an alleged article referenced in paragraph 125 of the FAC as being published by Defendants West, Hickford, WNI and Wilburn; that article does not exist. Because of this fundamental error, this entire paragraph is denied by the WNI Defendants. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

134. This paragraph concerns an alleged article referenced in paragraph 125 of the FAC as being published by Defendants West, Hickford, WNI and Wilburn; that article does not exist. Because of this fundamental error, this entire paragraph is denied by the WNI Defendants. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

135. This paragraph concerns an alleged article referenced in paragraph 125 of the FAC as being published by Defendants West, Hickford, WNI and Wilburn; that article does not exist. Because of this fundamental error, this entire paragraph is denied by the WNI Defendants. The

remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

136. This paragraph concerns an alleged article referenced in paragraph 125 of the FAC as being published by Defendants West, Hickford, WNI and Wilburn; that article does not exist. Because of this fundamental error, this entire paragraph is denied by the WNI Defendants. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

137. This paragraph concerns an alleged article referenced in paragraph 125 of the FAC as being published by Defendants West, Hickford, WNI and Wilburn; that article does not exist. Because of this fundamental error, this entire paragraph is denied by the WNI Defendants. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

138. This paragraph concerns an alleged article referenced in paragraph 125 of the FAC as being published by Defendants West, Hickford, WNI and Wilburn; that article does not exist. Because of this fundamental error, this entire paragraph is denied by the WNI Defendants. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

139. This paragraph concerns an alleged article referenced in paragraph 125 of the FAC as being published by Defendants West, Hickford, WNI and Wilburn; that article does not exist. Because of this fundamental error, this entire paragraph is denied by the WNI Defendants. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

140. Denied by the WNI Defendants. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

141. Denied by Wilburn. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

142. Wilburn denies that he would refuse to admit a white supremacist carried out the car attack. WNI and Hickford lack knowledge or information sufficient to form a belief about the truth about a co-defendant's state of mind sufficient to either admit or deny any allegations about it. Further, this paragraph refers to an article referenced in paragraph 125 of the FAC as being published by Defendants West, Hickford, WNI and Wilburn that does not exist. Because of this fundamental error, the remainder of paragraph is denied by the WNI Defendants. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

143. This paragraph concerns an alleged article referenced in paragraph 125 of the FAC as being published by Defendants West, Hickford, WNI and Wilburn; that article does not exist. Because of this fundamental error, this entire paragraph is denied by the WNI Defendants. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

144. This paragraph concerns an alleged article referenced in paragraph 125 of the FAC as being published by Defendants West, Hickford, WNI and Wilburn; that article does not exist. Because of this fundamental error, this entire paragraph is denied by the WNI Defendants. The

remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

145. The Undersigned Defendants deny the following statement: “Their paranoid fantasies have no basis whatsoever in fact and are demonstrably false[.]” The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the remaining allegations in this paragraph sufficient to either admit or deny them.

146. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

147. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

148. Denied.

149. Denied.

150. The Undersigned Defendants deny that they are the legal cause of any misconduct by any third party. This denial applies every time the allegation is repeated. The Undersigned Defendants deny the remaining allegations in this paragraph.

151. Creighton admits he published an article and video about the Plaintiff on August 23, 2017. Creighton lacks knowledge or information sufficient to form a belief about the truth of the remaining allegations in this paragraph sufficient to either admit or deny them. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

152. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

153. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

154. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

155. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

156. Denied.

157. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

158. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

159. The Undersigned Defendants deny that any defamation, let alone a defamatory campaign, occurred. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the remaining allegations in this paragraph sufficient to either admit or deny them.

160. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

161. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

162. The Undersigned Defendants deny that they have lied about the Plaintiff. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

163. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

164. Denied.

165. The Undersigned Defendants understand these allegations to be solely against Jones and InfoWars, and therefore, the Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

166. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

167. Denied by Creighton. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

168. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

169. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

170. Creighton denies any allegations in this paragraph related to any statements he made. Creighton lacks knowledge or information sufficient to form a belief about the truth of the remaining allegations in this paragraph sufficient to either admit or deny them. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

171. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

172. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

173. The allegation that Hoft has spread conspiracy theories about the Marjory Stoneman Douglas is false, while he lacks knowledge or information sufficient to form a belief about the truth of the allegation with respect to Jones or InfoWars sufficient to either admit or deny them; the remaining Undersigned Defendants also lack knowledge or information sufficient to form a belief about the truth of the allegation against Hoft, InfoWars or Jones sufficient to either admit or deny them. The remaining allegations in this paragraph are denied.

174. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

175. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

176. Hoft denies ever committing incitement. Hoft admits that in an article he misidentified a reporter—relying in part on another’s reporting—and promptly corrected his error. Hoft lacks knowledge or information sufficient to form a belief about the truth of the remaining allegations in this paragraph sufficient to either admit or deny them. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

177. Denied.

178. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

179. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

180. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegation that the Plaintiff “lives in constant, ongoing fear of vile online and in-person harassment of himself and his family” sufficient to either admit or deny this allegation. The remaining allegations in this paragraph are denied.

181. The term “ongoing distress” is unclear because it is uncertain whether the FAC refers to distress allegedly caused by the Undersigned Defendants or third parties not named as defendants. Accordingly, the Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of all of the allegations in this paragraph sufficient to either admit or deny them.

182. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegation that the Plaintiff’s “physical condition makes it difficult and sometimes impossible for him to work and conduct regular, daily activities” sufficient to either admit or deny this allegation. The remaining allegations in this paragraph are denied.

183. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegation that the Plaintiff’s “depressive symptoms, including irritability, difficulty concentrating, and loss of sleep, have significantly impaired his ability to perform work responsibilities and attend social events” sufficient to either admit or deny this allegation. The remaining allegations in this paragraph are denied.

184. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegation that the Plaintiff “now limits his social engagements or going out in public, as he fears engaging with people who he does not already know and trust, and engages less on social media” sufficient to either admit or deny this allegation. The remaining allegations in this paragraph are denied.

185. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegation that “[a]t least one potential romantic partner cut off contact with Mr. Gilmore because of Defendants’ statements” sufficient to either admit or deny this allegation. The remaining allegations in this paragraph are denied.

186. Denied.

187. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them, except they deny making any false statements about the Plaintiff.

188. Denied.

189. Denied.

190. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

191. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

192. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

193. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

194. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

195. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

196. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

197. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

198. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

199. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

200. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

201. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

202. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

203. Denied.

204. No response is necessary to this paragraph.

205. Denied.

206. Denied.

207. Denied.

208. Denied.

209. Denied.

210. Denied.

211. Denied.

212. Denied.

213. Denied.

214. Denied.

215. Denied.

216. No response is necessary to this paragraph.

217. Denied by Creighton. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

218. Creighton admits that his site contained the description “Neoliberal News of the Day.” Creighton denies the remaining allegations in this paragraph. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

219. Denied by Creighton. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

220. Denied by Creighton. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

221. Denied by Creighton. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

222. Denied by Creighton. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

223. Denied by Creighton. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

224. Denied by Creighton. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

225. No response is necessary to this paragraph.

226. Denied by Creighton. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

227. Denied by Creighton. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

228. Denied by Creighton. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

229. Denied by Creighton. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

230. Denied by Creighton. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

231. Denied by Creighton. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

232. Denied by Creighton. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

233. No response is necessary to this paragraph.

234. Denied by Hoft. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

235. Denied by Hoft. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

236. Denied by Hoft. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

237. Denied by Hoft. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

238. Denied by Hoft. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

239. Denied by Hoft. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

240. Denied by Hoft. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

241. No response is necessary to this paragraph.

242. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

243. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

244. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

245. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

246. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

247. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

248. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

249. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

250. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

251. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

252. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

253. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

254. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

255. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

256. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

257. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

258. No response is necessary to this paragraph.

259. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

260. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

261. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

262. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

263. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

264. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

265. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

266. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

267. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

268. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

269. The Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

270. No response is necessary to this paragraph.

271. Denied by WNI Defendants. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

272. Denied by WNI Defendants. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

273. Denied by WNI Defendants. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

274. Denied by WNI Defendants. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

275. Denied by WNI Defendants. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

276. Denied by WNI Defendants. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

277. Denied by WNI Defendants. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

278. Denied by WNI Defendants. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

279. Denied by WNI Defendants. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

280. Denied by WNI Defendants. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

281. Denied by WNI Defendants. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

282. Denied by WNI Defendants. The remaining Undersigned Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph sufficient to either admit or deny them.

No further responses are necessary because the remainder of the FAC either 1) relate to the count for intentional infliction of emotional distress, which was dismissed, or 2) relate to a prayer for relief that requires no response.

AFFIRMATIVE DEFENSES

The statement of any defense contained herein does not assume the burden of proof for any issue for which the applicable law places the burden on Plaintiff.

1. The FAC fails to state a cause of action upon which relief may be granted.
2. The statements at issue are not of and concerning Plaintiff.
3. The statements at issue are immune from liability under the fair reporting privilege.
4. The statements at issue are not capable of defamatory meaning.
5. The statements at issue are not defamatory per se.
6. Plaintiff is a public official, or alternatively a public figure or a limited-purpose public figure for purposes of the statements alleged, and Plaintiff cannot establish by clear and convincing evidence that the Free Speech Defendants acted with actual malice.
7. The statements at issue were about matters of public concern.
8. The statements at issue are privileged because the subject matter was of public concern and affected a substantial interest of the public.
9. The statements at issue constitute opinion or fair comment and are non-actionable.
10. Plaintiff as a public figure has assumed the risk of being subject to the statements at issue.
11. Plaintiff consented to the publications by voluntarily injecting himself into a public controversy, through his use of social media, and by making statements on national television.
12. Plaintiff has failed to mitigate any damages he has incurred.
13. Plaintiff is barred from recovery for damages caused by the acts of others.
14. The Complaint fails to state a cause of action for punitive damages.
15. An award of punitive damages would violate the First Amendment of the United States Constitution.
16. The Undersigned Defendants are entitled to dismissal and a cost and fee award under Virginia's anti-SLAPP statute, Va. Code § 8.01-223.2.

17. This Court lacks subject matter jurisdiction because the parties are not truly diverse and there is an insufficient amount in controversy.

18. This Court lacks personal jurisdiction over the Undersigned Defendants because the parties cannot be reached by the Virginia Long-Arm Statute, and, even if they could, it would violate due process to assert jurisdiction over them.

19. The statements at issue are true or substantially true and do not have any false implications.

20. The statements at issue are protected opinion.

21. The First Amendment protects the statements that were made, as do comparable portions of the Virginia Constitution, e.g. VA CONST. Art. I, §§ 2 and 12.

22. The Undersigned Defendants are not the legal cause of any damages alleged by the Plaintiff.

23. Other parties are responsible for any allegedly tortious conduct alleged in this suit.

24. Defendants Hickford, Hoft and Wilburn were acting as corporate agents.

25. Comparative fault of third parties.

26. Failure to join a party under Rule 19.

27. Wrong party or persons sued.

Friday, April 26, 2019

Respectfully submitted,

s/ Aaron J. Walker
Aaron J. Walker, Esq.
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Hickford and Words-N-Ideas, LLC*
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CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing with the Clerk of the Court for the United States District Court for the Western District of Virginia on April 26, 2019. Participants in the case who are registered for electronic filing will be served automatically.

s/ Aaron J. Walker